IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 8533 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE KS JHAVERI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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ISHWARBHAI VECHATBHAI BARIA & 7 - Petitioner(s)

Versus

STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :

MR DS VASAVADA for Petitioner No(s).: 1,2,3,4,5,6,7,8.
MS HANSA PUNANI A.G.P. for Respondent No(s).: 1,2.

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CORAM : HONOURABLE MR.JUSTICE KS JHAVERI

Date : 22/08/2005

ORAL JUDGMENT

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1. The petitioners by way of this petition have prayed for a direction to regularize their services and to direct the respondents to pay them the benefits of Circular dated 17th October, 1988.

2. It is stated that in view of the Full Bench decision of this Court in the case of **Gujarat F.P.G. & F.W. Union v. State of Gujarat reported in 2004 (2) GLH, p.302 and in case of G.R.A.A. Karmachari Sangh v. State reported in 2005 (1) GLR, p.135 (paragraph 22)**, the appropriate remedy for the petitioners is to approach the Labour Court for redressal of their grievance. Accordingly, it is observed that it will be open for the petitioners to approach the Labour Court praying for appropriate relief. The petitioners shall file appropriate application before the Conciliation Officer within a period of two months from the date of receipt of writ of this Court and till then the interim relief granted by this Court vide order dated 28th November, 1997 shall continue.

3. In the result, the petition stands disposed of accordingly. Rule is discharged with no order as to costs. Interim relief subject to above.

[K.S. JHAVERI, J.]

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